

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE - N/S Coachmans Way, *
 674.74' W of the c/l of * DEPUTY ZONING COMMISSIONER
 Lantern Circle *
 (610 Coachmans Way) * OF BALTIMORE COUNTY
 7th Election District *
 3rd Councilmanic District * Case No. 95-71-SPHA

 Keith Cates, et ux *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 610 Coachmans Way, located in the vicinity of Graystone in northern Baltimore County. The Petitions were filed by the owners of the property, Mr. & Mrs. Keith Cates, through their surveyor, Joseph W. McGraw, Jr., with J.S.T. Engineering Company, Inc. The Petitioners request a special hearing to approve an amendment to the final development plan of Coachman's Field, Section II, Plat I, Lot 3 thereof, to permit the projection of an existing dwelling outside the building envelope. In addition, the Petitioners seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 39 feet, 2 inches in lieu of the required 50 feet, for an existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Joseph W. McGraw, Jr., Registered Land Surveyor, as agent for the Petitioners. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 1.030 acres, more or less, zoned R.C. 5 and is improved with a two-story single family dwelling. On behalf of the Petitioners,

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

Mr. McGraw testified that he was responsible for staking out the subject property in preparation for its development with a residence. He testified that he used the wrong "control point" for calculating distances and as a result, the dwelling was positioned 11 feet closer to the side property line than permitted by the regulations. Mr. McGraw testified that foundation and final location surveys did not detect the error and that, in fact, the house was eventually completed and the Petitioners moved in. However, approximately two months after they settled on the property, the Cates requested Mr. McGraw provide them with a property line survey during which process the error was discovered. Thus, the relief requested is necessary in order to legitimize the existing improvements on the property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, and there being no adverse comments submitted by any Baltimore County reviewing agency, it appears that the relief requested in the special hearing and variance Petitions should be granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and to require strict compliance with the zoning regulations would result in undue hardship and practical difficulty for the Petitioners. Furthermore, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of September, 1994 that the Petition for Special Hearing seeking approval of an amendment to the final development plan of Coachman's Field, Section II, Plat I, Lot 3 thereof, to permit the projection of an existing dwelling outside the building envelope, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 39 feet, 2 inches in lieu of the required 50 feet, for the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that a thirty-day appeal period exists from the date of this Order. In the event an appeal of this decision is

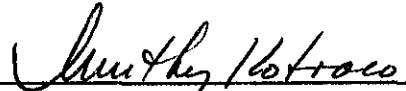
ORDER RECEIVED FOR FILING

Date

By

RECEIVED

filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/29/94
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 29, 1994

Mr. Joseph W. McGraw, Jr.
J.S.T. Engineering Company, Inc.
3812 Mary Avenue
Baltimore, Maryland 21206

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Coachmans Way, 674.74' W of the c/l of Lantern Circle
(610 Coachmans Way)
7th Election District - 3rd Councilmanic District
Keith Cates, et ux - Petitioners
Case No. 95-71-SPHA

Dear Mr. McGraw:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Keith Cates
610 Coachmans Way, Parkton, Md. 21120

People's Counsel

File

MICROFILMED





Petition for Variance

AND Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at

#610 Coachmans Way
7TH El. Dist., Balto. Co. MD.

which is presently zoned R.C. 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3.B.3 - To allow a side yard setback of 39 ft 2 inches (for an existing dwelling) in lieu of the required 50 ft. and to amend the final development plan of Coachman's Field, Section II, Plat I, Lot no. 3 to allow projection of same outside the building envelope.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SURVEYING ERROR

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s)

(Type or Print Name)

Joseph W. McGraw, Jr. / JST Eng. Co., Inc.
(Type or Print Name)

Signature

[Signature]
Agent for:
Mr. & Mrs. Keith Cates

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

610 Coachmans Way

Address

Phone No.

Parkton, MD.

21120

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Joseph W. McGraw, Jr. / JST Eng. Co., Inc.

Name

3812 Mary Avenue Balto. MD. 21206

Address

Phone No.

(410) 444-8848

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

BY

Printed with Soybean Ink
on Recycled Paper

RECEIVED

Zoning Administration

Development Management

ZONING DESCRIPTION

95-71-SPHA ⁷²

Beginning at a point on the north side of Coachmans Way as laid out 50 feet wide at the distance of 674.74 feet west of the centerline of Lantern Circle as laid out 50 feet wide. Thence the following courses and distances:

- 1.) North 26 degrees 19 minutes 34 seconds West 242.53 feet,
- 2.) South 50 degrees 48 minutes 40 Seconds West 29.91 feet,
- 3.) South 57 degrees 20 minutes 34 seconds West 180.00 feet,
- 4.) South 32 degrees 39 minutes 26 seconds East 223.62 feet, and by a curve to the right with radius of 975.00 feet, an arc length of 183.78 feet and chord of North 61 degrees 43 minutes 38 seconds East 183.51 feet to the place of beginning as recorded in deed Liber , Folio . Being Lot 3, Section Two, Plat One, Final Subdivision Plat Coachman's Field recorded in Baltimore County Plat Book #59, Folio 41, containing 1.030 Acres. Also known as #610 Coachmans Way and located in the 7TH Election District.

JOSEPH W. MCGRAW, JR

P.S. 10322

1ST ENG. CO., INC

Shal McGraw

RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-71-SPH

District 7th Date of Posting 9/9/94
Posted for: Variance & Special Hearing
Petitioner: Mr & Mrs Keith Cots
Location of property: 610 Cochrans Way, N/S
Location of Signs: Facing road & on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 9/14/94
Number of Signs: 1



RECORDED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 100 West Washington Avenue in Towson, Maryland.

21204 for Room 118 Old Courthouse, 100 West Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-71-SRHA
(Item 72)
810 Coachmans Way
N/S Coachmans Way,
674.74' +/- W of c/l
Lantern Circle
7th Election District
3rd Councilmanic
Petitioner(s):
Mr. & Mrs. Keith Cates
Hearing: Thursday,
September 28, 1994 at
10:00 a.m. in Rm. 118, Old
Courthouse.

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet. Special Hearing to amend the final development plan of Coachmans Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible for special ac-
commodations. Please Call
887-3353.

(2) For information concern-
ing this File and/or Hearing, Please
Call 887-3391.
9/041 Sept. 1.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Sept. 2, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 1, 1994.

THE JEFFERSONIAN,

A. H. Henrichson
LEGAL AD. - TOWSON

~~Signature~~

Handwritten signature
HOFWOTAGALDEL



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-71-SPHA

Account: R-001-6150

Date 8-19-94

Item Number 72

Taken in by: [Signature]

Owner: J. W. McGraw
Site: 610 Coachman's Way

# 010	Residential Variance Filing Fee	\$ 50.00
	Amendment to Development Plan	50.00
# 080	Sign & Posting	35.00

Total \$ 135.00

01A01H0073MILHRC

BA 0011:43AM08-19-94

Please Make Checks Payable To: Baltimore County

RECEIVED
AUG 22 1994
BALTIMORE COUNTY

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

~~For newspaper advertising:~~

Item No.: 72

Petitioner: J. W. Mc Graw

Location: 610 Coachman's Way

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S.T. ENGINEERING CO., INC.

ADDRESS: 3812 MARY AVENUE

BALTO. MD. 21206

* PHONE NUMBER: (410) 444-8848

*MUST BE SUPPLIED

1 - 2 04/09/93

RECEIVED
APR 9 1993

Item Number:
Planner:
Date Filed:

72
JJS
8-19-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCZR section information and/or wording
- Hardship/practical difficulty information
- ✓ ~~Owner's signature (need minimum 1 original signature) and/or~~
- ~~printed name and/or address and/or telephone number~~
- Contract purchaser's signature (need minimum 1 original
- signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or
- printed name and/or title of person signing for legal
- owner/contract purchaser
- ✓ ~~Power of attorney or authorization for person signing for~~
- ~~legal owner and/or contract purchaser~~
- Attorney's signature (need minimum 1 original signature)
- and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect
- and/or commission has expired

✓ PETITION IS WRONG - LEGAL OWNER IS NOT
McGRAW, BUT CATES

TO: PUTUXENT PUBLISHING COMPANY
September 1, 1994 Issue - Jeffersonian

Please forward billing to:

J.S.T. Engineering Co., Inc.
3812 Mary Avenue
Baltimore, Maryland 21206
444-8848

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)

610 Coachmans Way

N/S Coachmans Way, 674.74' +/- W of c/l Lantern Circle

7th Election District - 3rd Councilmanic

Petitioner(s): Mr. & Mrs. Keith Cates

HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.

Special Hearing to amend the final development plan of Coachmans Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)

610 Coachmans Way

N/S Coachmans Way, 674.74' +/- W of c/l Lantern Circle

7th Election District - 3rd Councilmanic

Petitioner(s): Mr. & Mrs. Keith Cates

HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.

Special Hearing to amend the final development plan of Coachmans Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Mr. & Mrs. Keith Cates
J.S.T. Engineering Co., Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management

file



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

CORRECTED
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)

610 Coachmans Way

N/S Coachmans Way, 674.74' +/- W of c/l Lantern Circle

7th Election District - 3rd Councilmanic

Petitioner(s): Mr. & Mrs. Keith Cates

HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

THURSDAY

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.

Special Hearing to amend the final development plan of Coachmans Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

Arnold Jablon

Arnold Jablon
Director

cc: Mr. & Mrs. Keith Cates
J.S.T. Engineering Co., Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Handwritten signature/initials



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

J.S. T. Engineering Co., Inc.
3812 Mary Avenue
Baltimore, Maryland 21206

RE: Item No. 72, Case No. 95-71-SPHA
Petitioner: Mr. & Mrs. Keith Cates

Dear Sirs:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 19, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggs

A second handwritten signature, similar to the one above, is written below the typed name.





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-26-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *¢ 72 (JJS)*

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/


My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: September 7, 1994
Zoning Administration and Development Management

FROM:  Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 6, 1994
Items 62, 71 and 72

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

95-71

TO: ZADM

DATE: 8/31/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 8/29/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

63

64

65

66

68

69

70

71

72

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/25/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 64, 65,
67, 68, 69, 70, 71 AND 72.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RECEIVED

BALTIMORE COUNTY, MARYLAND

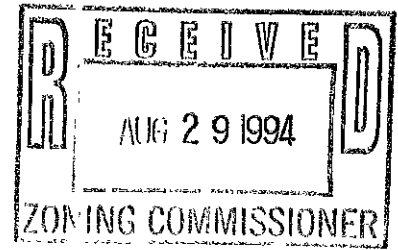
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 610 Coachmans Way



INFORMATION:

Item Number: 72

Petitioner: Joseph W. McGraw, Jr.

Property Size: _____

Zoning: R.C. 5

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the applicant's request, we find it inconceivable that engineers, surveyors and/or contractors can make such an error as improperly siting a house on a lot. In these cases an appropriate maxim seems to ring true: it is far easier to ask for forgiveness than permission.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kern

PK/JL:lw

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE ZONING COMMISSIONER
610 Coachmans Way, N/S Coachmans Way*
674.74'+/- W of c/l Lantern Cir., 7th
Election Dist., 3rd Councilmanic * OF BALTIMORE COUNTY
Mr. & Mrs. Keith Cates * CASE NO. 95-71-SPHA
Petitioners
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Joseph W. McGraw, Jr., JST Eng. Co., Inc., 3812 Mary Avenue, Baltimore, MD 21206, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOSEPH W. MCGRAW JR / ISTENG.CO., INC. 3812 MARY AVE. BALTO. MD. 21206

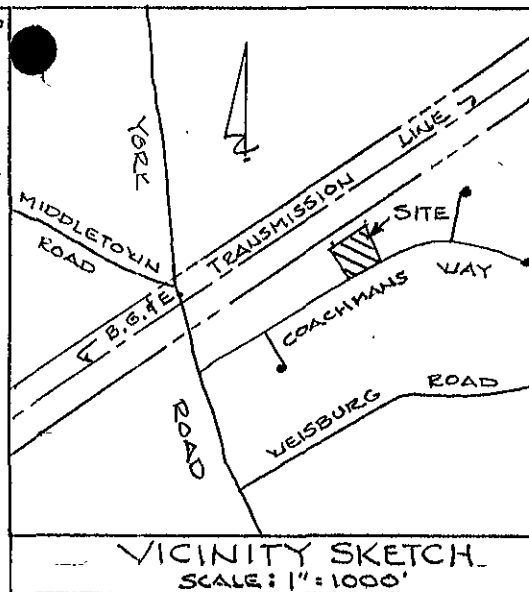


Printed with Soybean Ink
on Recycled Paper

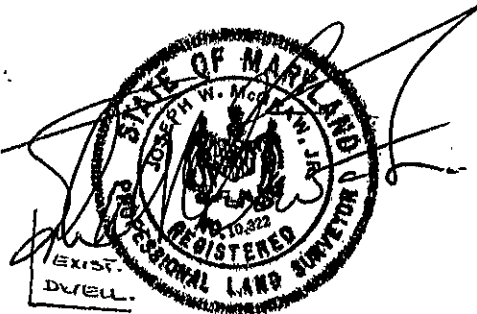
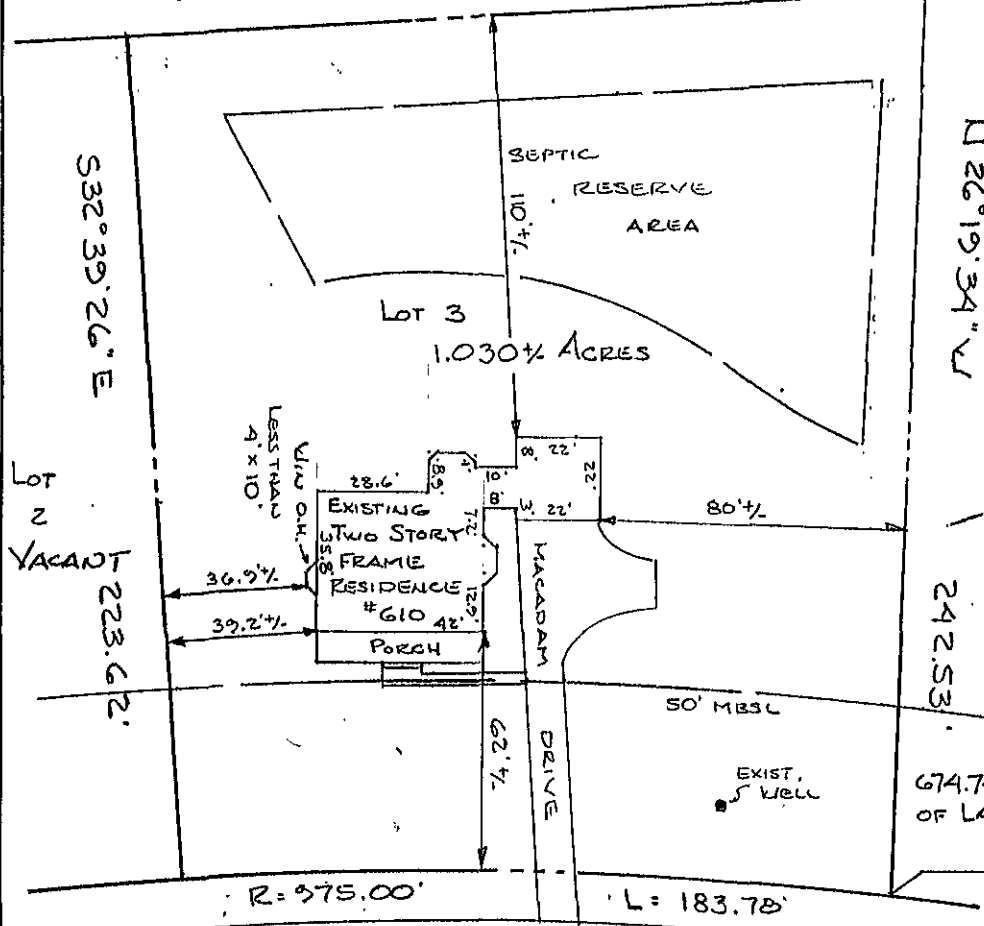
MICROFILMED

NOTES:

1. C.R.G. APPROVAL DATE OF SUBDIVISION: 4-30-87
2. ENTIRE SUBDIVISION AND SURROUNDING PROPERTY ZONED R.C.S
3. FLOOR AREA RATIO: 0.09
4. LOTS 2 & 4 IN THE NAME OF SHELLEY CONSTRUCTION INC 9531/178. Lot 2-7/21000008422 & Lot 4-7/21000008423.
5. No Prior Zoning Hearings.
6. THIS PROPERTY IS Lot 3 of COACHMAN'S FIELD, Plat 1 SECTION 2, Plat Book 59, Folio 41.



C. WAYNE & RUTH S.
ADELSBERGER. 7517/423
7/17000000305
S 57° 20' 34" W 180.00'
S 50° 48' 40" W 29.91'



PLAN TO ACCOMPANY
ZONING VARIANCE HEARING
OF
MR. & MRS. KEITH CATES RESIDENCE
610 COACHMAN'S WAY

J.S.T. ENGINEERING CO., INC.
3812 Mary Avenue
Baltimore, Maryland 21206
(410) 444-8848

**PETITIONER'S
EXHIBIT**

7TH ELEC. DIST: 3RD COUNCILMANIC DIST.
SCALE: 1" = 50' DATE: 8-18-94

95-71-SPHA

Item # 72

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - N/S Coachmans Way, * DEPUTY ZONING COMMISSIONER
674.74' W of the c/l of
Lantern Circle
(610 Coachmans Way) * OF BALTIMORE COUNTY
7th Election District
3rd Councilmanic District * Case No. 95-71-SPHA
Keith Cates, et ux
Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 610 Coachmans Way, located in the vicinity of Graystone in northern Baltimore County. The Petitions were filed by the owners of the property, Mr. & Mrs. Keith Cates, through their surveyor, Joseph W. McGraw, Jr., with J.S.T. Engineering Company, Inc. The Petitioners request a special hearing to approve an amendment to the final development plan of Coachman's Field, Section II, Plat I, Lot 3 thereof, to permit the projection of an existing dwelling outside the building envelope. In addition, the Petitioners seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 39 feet, 2 inches in lieu of the required 50 feet, for an existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Joseph W. McGraw, Jr., Registered Land Surveyor, as agent for the Petitioners. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 1.030 acres, more or less, zoned R.C. 5 and is improved with a two-story single family dwelling. On behalf of the Petitioners,

Mr. McGraw testified that he was responsible for staking out the subject property in preparation for its development with a residence. He testified that he used the wrong "control point" for calculating distances and as a result, the dwelling was positioned 11 feet closer to the side property line than permitted by the regulations. Mr. McGraw testified that foundation and final location surveys did not detect the error and that, in fact, the house was eventually completed and the Petitioners moved in. However, approximately two months after they settled on the property, the Cates requested Mr. McGraw provide them with a property line survey during which process the error was discovered. Thus, the relief requested is necessary in order to legitimize the existing improvements on the property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

- 2 -

After due consideration of the testimony and evidence presented, and there being no adverse comments submitted by any Baltimore County reviewing agency, it appears that the relief requested in the special hearing and variance Petitions should be granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and to require strict compliance with the zoning regulations would result in undue hardship and practical difficulty for the Petitioners. Furthermore, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of September, 1994 that the Petition for Special Hearing seeking approval of an amendment to the final development plan of Coachman's Field, Section II, Plat I, Lot 3 thereof, to permit the projection of an existing dwelling outside the building envelope, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 39 feet, 2 inches in lieu of the required 50 feet, for the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that a thirty-day appeal period exists from the date of this order. In the event an appeal of this decision is

- 3 -

filed and this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 9/16/94
By [Signature]

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 29, 1994

Mr. Joseph W. McGraw, Jr.
J.S.T. Engineering Company, Inc.
3812 Mary Avenue
Baltimore, Maryland 21206

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Coachmans Way, 674.74' W of the c/l of Lantern Circle
(610 Coachmans Way)
7th Election District - 3rd Councilmanic District
Keith Cates, et ux - Petitioners
Case No. 95-71-SPHA

Dear Mr. McGraw:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. & Mrs. Keith Cates
610 Coachmans Way, Parkton, Md. 21120

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at #610 Coachmans Way
7TH EL. DIST., Balto. Co. MD.
which is presently zoned R.C. 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 - To allow a side yard setback of 39 ft 2 inches (for an existing dwelling) in lieu of the required 50 ft. and to amend the final development plan of Coachman's Field, Section II, Plat I, Lot no. 3 to allow projection of same outside the building envelope, in accordance with the Zoning Regulations of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SURVEYING ERROR

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Joseph W. McGraw, Jr., JST Eng. Co., Inc.

Agent for:

Mr. & Mrs. Keith Cates

(Type or Print Name)

Signature

610 Coachmans Way

Address

City State Zipcode

Joseph W. McGraw, Jr., JST Eng. Co., Inc.

Address

City State Zipcode

ESTIMATED LENGTH OF HEARING

the following date

ALL OTHER

REVIEWED BY

ORDER RECEIVED FOR FILING

Date 9/29/94
By [Signature]

Printed with Soy-based Ink
on Recycled Paper

ZONING DESCRIPTION 95-71-SPHA 72

Beginning at a point on the north side of Coachmans Way as laid out 50 feet wide at the distance of 674.74 feet west of the centerline of Lantern Circle as laid out 50 feet wide. Thence the following courses and distances:
1.) North 26 degrees 19 minutes 34 seconds West 242.53 feet,
2.) South 50 degrees 48 minutes 40 Seconds West 29.91 feet,
3.) South 57 degrees 20 minutes 34 seconds West 180.00 feet,
4.) South 32 degrees 39 minutes 26 seconds East 223.62 feet, and by a curve to the right with radius of 975.00 feet, an arc length of 183.78 feet and chord of North 61 degrees 43 minutes 38 seconds East 183.51 feet to the place of beginning as recorded in deed Liber , Folio . Being Lot 3, Section Two, Plat One, Final Subdivision Plat Coachman's Field recorded in Baltimore County Plat Book #59, Folio 41, containing 1.030 Acres. Also known as #610 Coachmans Way and located in the 7TH Election District.

Joseph W. McGraw, Jr.

P.S. 10322

JST Eng. Co., Inc.

Shal McGraw

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-71-SPHA

District 7th Date of Posting 9/16/94
Posted for: Variance & Special Hearing
Petitioner: Mr. & Mrs. Keith Cates
Location of property: 610 Coachmans Way, N/S
Location of Signs: Along the way on property being posted
Remarks: _____
Posted by: [Signature] Date of return: 9/16/94
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 2, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 1, 1994

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

NOTES: Petitioners are urged to appear at the hearing on the petition for a Variance or Special Hearing, for special consideration. Please call 887-3391 for information concerning the hearing. Please bring a copy of the petition with you to the hearing. Please bring a copy of the petition with you to the hearing. Please bring a copy of the petition with you to the hearing.

receipt
95-71-SPHA
 Account R.O.P. \$150
 Item Number 72
 Taken by: [Signature]

Date 8-19-94
 OWNER: J.W. McGraw
 610 Coachman's Way

010 Residential Variance Piling Plan \$50.00
 Amendment to Development Plan \$50.00
 Sign & Posting 35.00
 Total \$135.00

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:
 Item No. 72
 Petitioner: J.W. McGraw
 Location: 610 Coachman's Way

PLEASE FORWARD ADVERTISING BILL TO:
 NAME: J.S.T. ENGINEERING CO., INC.
 ADDRESS: 3812 MARLYN AVENUE
 BALTO. MD. 21206
 PHONE NUMBER: (410) 444-8848

MUST BE SUPPLIED

Item Number: 72
 Planner: [Signature]
 Date Filed: 8-19-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney
☒ The following information is missing:
 Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only 1 submitted)
 200 scale zoning map with property outlined
 Election District
 Councilmanic district
 BZCA section information and/or wording
 Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
 Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 Notary Public's section is incomplete and/or incorrect and/or commission has expired
☒ **PETITION IS WRONG - LEGAL OWNER IS NOT MCGRAW, BUT CATES**

PET-FLAG (XTSOPH)
 11/17/93

TO: PUTNEY PUBLISHING COMPANY
 September 1, 1994 Issue - Jeffersonian

Please forward billing to:
 J.S.T. Engineering Co., Inc.
 3812 Mary Avenue
 Baltimore, Maryland 21206
 444-8848

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)
 610 Coachman's Way
 N/S Coachman's Way, 674.74' +/- W of c/l Lantern Circle
 7th Election District - 3rd Councilmanic
 Petitioner(s): Mr. & Mrs. Keith Cates
 HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.
 Special Hearing to amend the final development plan of Coachman's Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

LAWRENCE E. SCHULTZ
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

AUGUST 26, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)
 610 Coachman's Way
 N/S Coachman's Way, 674.74' +/- W of c/l Lantern Circle
 7th Election District - 3rd Councilmanic
 Petitioner(s): Mr. & Mrs. Keith Cates
 HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.
 Special Hearing to amend the final development plan of Coachman's Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

Arnold Jablon, Director

cc: Mr. & Mrs. Keith Cates
 J.S.T. Engineering Co., Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

AUGUST 26, 1994

**CORRECTED
 NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-71-SPHA (Item 72)
 610 Coachman's Way
 N/S Coachman's Way, 674.74' +/- W of c/l Lantern Circle
 7th Election District - 3rd Councilmanic
 Petitioner(s): Mr. & Mrs. Keith Cates
 HEARING: WEDNESDAY, SEPTEMBER 29, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

THURSDAY
 Variance to allow a side yard setback of 39 feet, 2 inches (for an existing dwelling) in lieu of the required 50 feet.
 Special Hearing to amend the final development plan of Coachman's Field, Section II, Plat I, Lot #3, to allow projection of same outside the building envelope.

Arnold Jablon, Director

cc: Mr. & Mrs. Keith Cates
 J.S.T. Engineering Co., Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

J.S.T. Engineering Co., Inc.
 3812 Mary Avenue
 Baltimore, Maryland 21206

RE: Item No. 72, Case No. 95-71-SPHA
 Petitioner: Mr. & Mrs. Keith Cates

Dear Sirs:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 19, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture/loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.
 W. Carl Richards, Jr.
 Zoning Coordinator

WCR:ggg

**Maryland Department of Transportation
 State Highway Administration**

O. James Lighthizer
 Secretary
 Hal Kassoff
 Administrator

8-26-94

Ms. Julie Winiarski
 Zoning Administration and
 Development Management
 County Office Building
 Room 109
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Re: Baltimore County
 Item No. 72 (JTS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
 David Ramsey, Acting Chief
 Engineering Access Permits
 Division

BS/

My telephone number is _____
 Maryland Relay Service for Impaired Hearing or Speech
 1-800-735-2258 Statewide Toll Free
 Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: September 7, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 6, 1994
Items 62, 71 and 72

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB:ew

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
SUBJECT: Zoning Advisory Committee
Agenda: 8/29/94

DATE: 8/31/94

95-71

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 63
64
65
66
68
69
70
71
72

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/25/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 64, 65, 67, 68, 69, 70, 71 AND 72.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 29, 1994

SUBJECT: 610 Coachmans Way

INFORMATION:

Item Number: 72

Petitioner: Joseph W. McGraw, Jr.

Property Size:

Zoning: R.C. 5

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the applicant's request, we find it inconceivable that engineers, surveyors and/or contractors can make such an error as improperly siting a house on a lot. In these cases an appropriate maxim seems to ring true: it is far easier to ask for forgiveness than permission.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Hines

PK/JL:lw

ZAC.72/PZONR/ZAC1

Pg. 1

RE: PETITION FOR SPECIAL HEARING *
PETITION FOR VARIANCE *
610 Coachmans Way, N/S Coachmans Way *
674.74 +/- W of c/l Lantern Cir., 7th
Election Dist., 3rd Councilmanic *
Mr. & Mrs. Keith Cates *
Petitioners *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CASE NO. 95-71-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

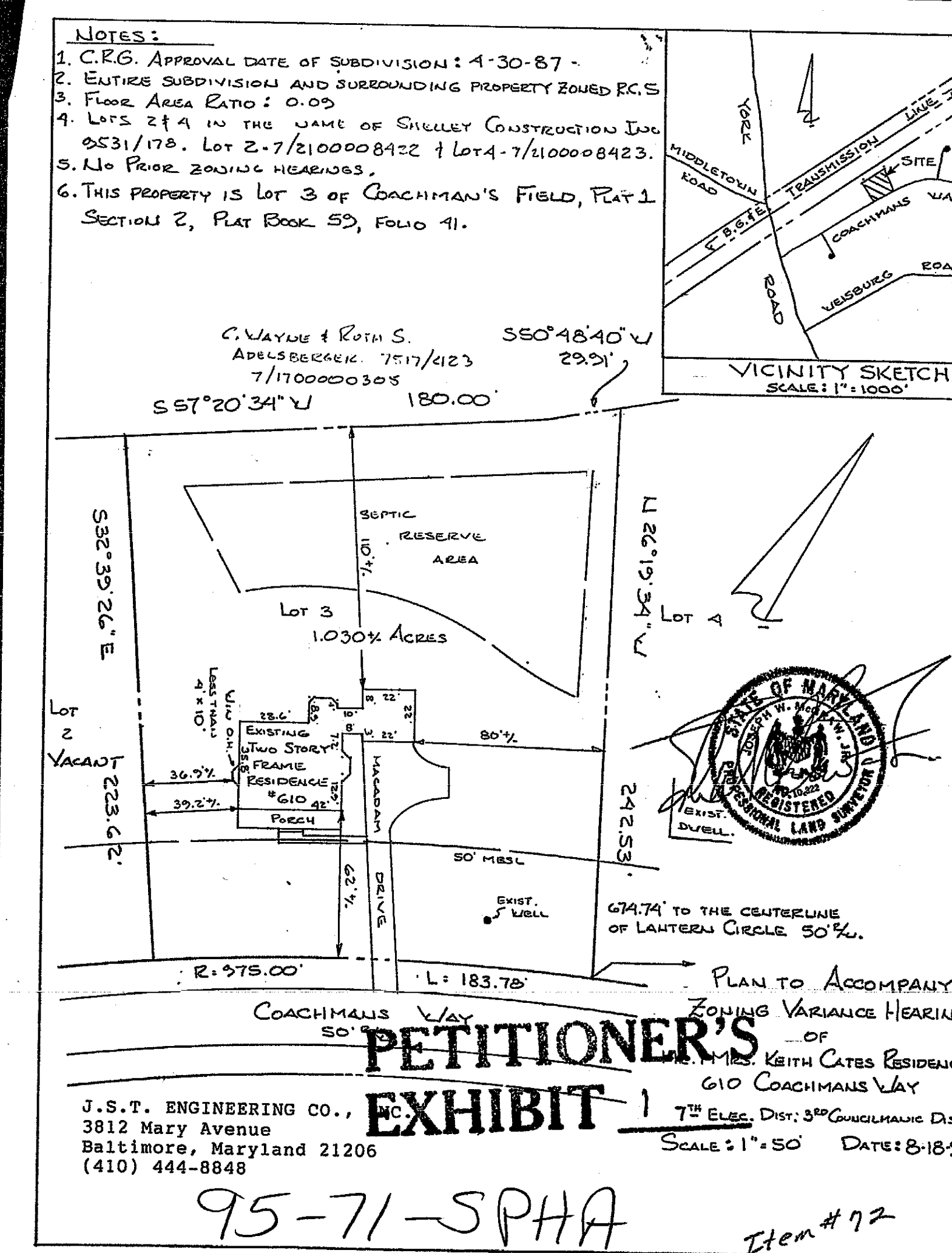
I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Joseph W. McGraw, Jr., JST Eng. Co., Inc., 3812 Mary Avenue, Baltimore, MD 21206, representative for Petitioners.

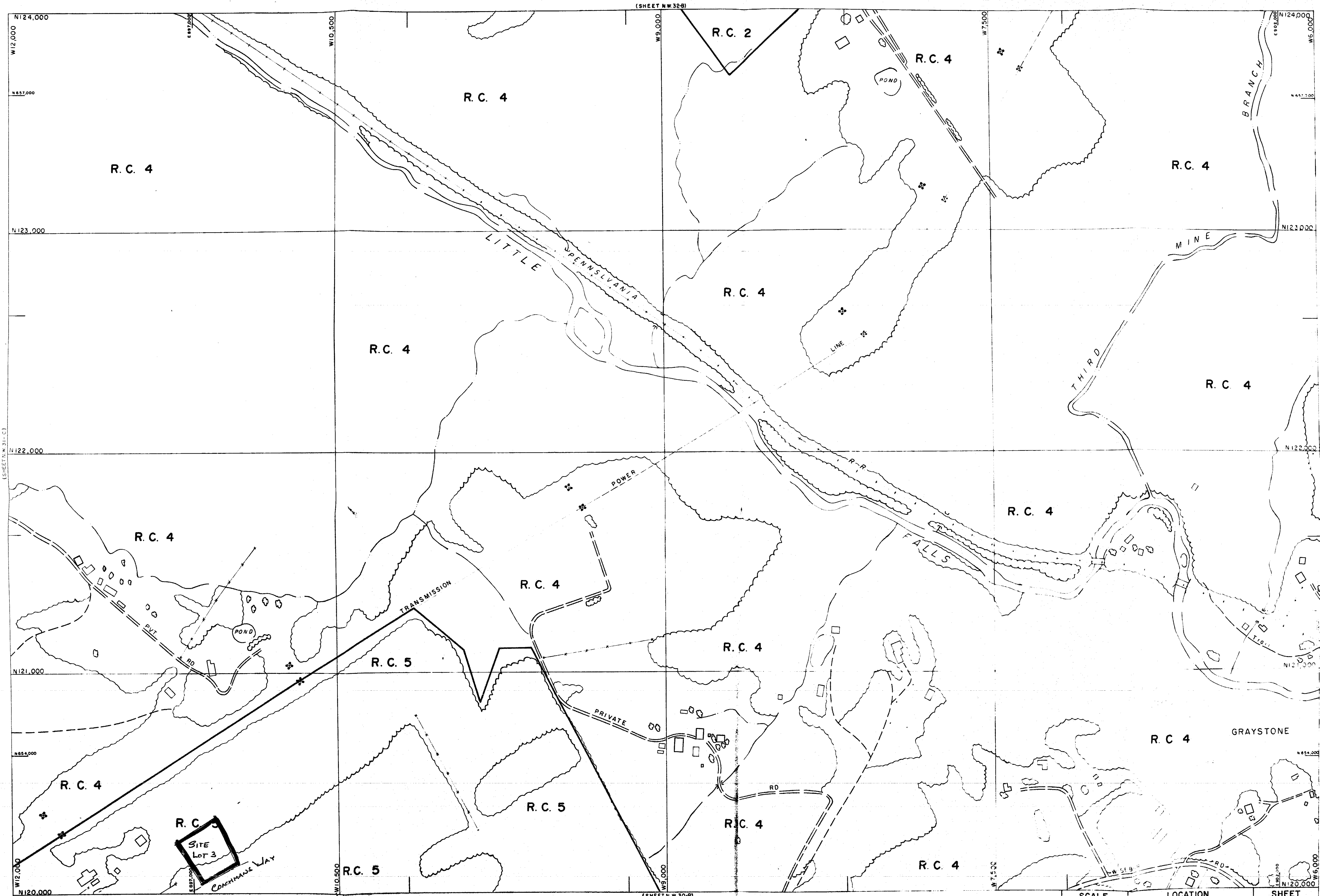
Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
JOSEPH W. MCGRAW JR./JST ENG. CO., INC. 3812 MARY AVE. BALTO. MD. 21206





BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

KK - SE
HH - NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
John J. Howard
Chairman, County Council

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William D. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION WEST OF GRAYSTONE	SHEET NW 31-B
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
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BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

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